

PROVIDING FOR CONSIDERATION OF H.R. 4, SECURING
AMERICA'S FUTURE ENERGY ACT OF 2001

AUGUST 1, (legislative day, JULY 31), 2001.—Referred to the House Calendar and
ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 216]

The Committee on Rules, having had under consideration House Resolution 216, by a record vote of 9 to 1, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 4, the Securing America's Future Energy Act of 2001, under a structured rule. The rule provides ninety minutes of general debate with 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce and 20 minutes equally divided and controlled by the chairman and ranking minority members of each of the following Committees: Science, Ways and Means, and Resources. The rule waives all points of order against consideration of the bill.

The rule provides that the amendment printed in part A of this report shall be considered as adopted. The rule further makes in order only those amendments printed in part B of this report, and provides that those amendments may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in this report. The rule also provides one motion to recommit with or without instructions.

Finally, Section 2 of the rule provides that upon receipt of a message from the Senate transmitting H.R. 4 with Senate amendments thereto, it shall be in order to consider in the House a motion offered by the Chairman of the Committee on Energy and Commerce or his designee that the House disagree to the Senate amendments and request or agree to a conference with the Senate thereon.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 32

Date: July 31, 2001.

Measure: H.R. 4, the Securing America's Future Energy Act of 2001.

Motion by: Mr. Frost.

Summary of motion: To make in order the amendment by Representatives Markey, Sandlin, and Stenholm which strengthens the federal central air conditioner and heat pump efficiency provisions; deletes a GAO study on LIHEAP; strengthens the Clinton Administration's central air conditioning efficiency standards; assures that the HOV lane exception applies only to vehicles with improve efficiency and lower emissions; directs DOE to issue new appliance efficiency standards for standby power consumption and several currently uncovered appliances; restores central air conditioning efficiency standards issue in January, 2001; authorizes funding for certain uranium enrichment program, including advanced gas centrifuge technology; keeps the Nuclear Waste Fund on-budget; eliminates the authority to conduct R&D on new ways to reprocess nuclear fuel; and scales back funds for a study on next generation nuclear reactors to levels proposed by the Bush Administration; increases domestic oil and gas production from independent producers with tax credits and incentives; provides tax credits and incentives for improved efficiency and increased reliance on renewables; and strikes Division F from the bill and replaces it with new provisions relating to energy production on public lands.

Results: Defeated 1 to 9.

Vote by Members: Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Dreier—Nay.

Rules Committee record vote No. 33

Date: July 31, 2001.

Measure: H.R. 4, the Securing America's Future Energy Act of 2001.

Motion by: Mr. Frost.

Summary of motion: To make in order the amendment by Representatives Inslee, Shays, and Udall (CO) to expand tax credits for incremental hydropower, geothermal and biomass co-fired with coal, and small wind, allow tradable renewable tax credits for public power entities, modify tax credits for new energy efficient homes and hybrid vehicles, and modify non-conventional fuel production credit.

Results: Defeated 1 to 9.

Vote by Members: Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Dreier—Nay.

Rules Committee record vote No. 34

Date: July 31, 2001.

Measure: H.R. 4, the Securing America's Future Energy Act of 2001.

Motion by: Mr. Frost.

Summary of motion: To make in order the amendment by Representatives Harman and Eshoo which directs that, within 30 days of enactment, FERC order refunds of electricity charges in the Western States for the period of Oct. 2, 2000, through June 20 2001, that exceed just and reasonable rates. Specifies methodologies to determine just and reasonable rates.

Results: Defeated 1 to 9.

Vote by Members: Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Dreier—Nay.

Rules Committee record vote No. 35

Date: July 31, 2001.

Measure: H.R. 4, the Securing America's Future Energy Act of 2001.

Motion by: Mr. Frost.

Summary of motion: To make in order the amendment by Representative DeLauro which strikes the language in the bill calling for GAO to report on whether the LIHEAP program discourages energy conservation and energy efficiency. It would also eliminate the section of the study determining the feasibility of each income supplement not specifically targeted toward energy.

Results: Defeated 1 to 9.

Vote by Members: Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Dreier—Nay.

Rules Committee record vote No. 36

Date: July 31, 2001.

Measure: H.R. 4, the Securing America's Future Energy Act of 2001.

Motion by: Mr. Frost.

Summary of motion: To make in order the amendment by Representative Deutsch expressing the sense of Congress encouraging the President to personally work with OPEC to increase OPEC crude oil production before the next scheduled OPEC meeting on September 26, 2001.

Results: Defeated 1 to 9.

Vote by Members: Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Dreier—Nay.

Rules Committee record vote No. 37

Date: July 31, 2001.

Measure: H.R. 4, the Securing America's Future Energy Act of 2001.

Motion by: Mr. Frost.

Summary of motion: To make in order the amendment by Representative Kaptur to rename the Strategic Petroleum Reserve as the Strategic Fuels Reserve; require the acquisition and maintenance as part of the Reserve a minimum of 300 million gallons of ethanol and 100 million gallons of biodiesel; and allow the biofuels to be exchanged for, or purchased with funds realized from the sale of crude oil from the Reserve.

Results: Defeated 1 to 9.

Vote by Members: Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Dreier—Nay.

Rules Committee record vote No. 38

Date: July 31, 2001.

Measure: H.R. 4, the Securing America's Future Energy Act of 2001.

Motion by: Mr. Frost.

Summary of motion: To make in order the amendment by Representatives Oberstar, Rahall, and Clement which strikes the section of the bill that terminates the 4.3-cent per gallon fuel tax currently paid by railroads and inland waterway barges.

Results: Defeated 1 to 9.

Vote by Members: Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Dreier—Nay.

Rules Committee record vote No. 39

Date: July 31, 2001.

Measure: H.R. 4, the Securing America's Future Energy Act of 2001.

Motion by: Mr. Goss.

Summary of motion: To report the resolution.

Results: Agreed to 9 to 1.

Vote by Members: Goss—Yea; Linder—Yea; Pryce—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Myrick—Yea; Sessions—Yea; Reynolds—Yea; Frost—Nay; Dreier—Yea.

AMENDMENTS MADE IN ORDER UNDER THE RULE

PART A

Summary of Amendment to be Considered as Adopted

Gibbons—Strikes Sec. 301 to take the Nuclear Waste Fund off-budget.

TEXT OF AMENDMENT TO BE CONSIDERED AS ADOPTED

Page 76, line 15, through page 77, line 9, strike section 301, and make the necessary change to the table of contents.

PART B

Summaries of Amendments Made in Order, debatable in the order listed for the time specified

Tauzin Manager's Amendment—

Directs the Secretary of Energy to conduct a study on the feasibility of establishing a program that provides guarantees for loans by private banking and investment institutions for facilities for the processing and conversion of municipal solid waste and sewage sludge into fuel ethanol and other commercial byproducts.

Makes various technical and clarifying changes to ensure that the requirement that the Secretary review and consult with the state when preparing a management or leasing analysis is not construed as a limitation on federal authority or affect judicial review procedures; clarifies the role of the Regional Forester in the consultation process; and to make technical corrections in sections regarding recovery costs under NEPA.

Directs the Secretary of Energy to initiate a study regarding the feasibility of developing commercial nuclear production facilities at existing Department of Energy sites.

Expands scope of two GAO studies regarding LIHEAP objectives to include examination of how education may improve energy conservation in non-LIHEAP households and low income households.

Adds Section 6106 to require the Secretary of Energy and the Chairman of the Federal Energy Regulatory Commission to jointly study the location and extent of anticipated demand growth for natural gas consumption in the western states.

Directs EPA and the Department of Energy to include an analysis of the feasibility of modifying the federal excise taxes on gasoline to promote cleaner burning fuel in the joint study on boutique fuels.

Clarifies that working pipelines which have already been declared eligible for purposes of the National Historic Preservation Act are exempt and to allow pipeline owners to voluntarily have their pipelines declared eligible. Incorporates language agreed to by the Committee on Energy and Commerce and the Resources Committee.

Makes corrections and technical and conforming changes to Division E of the bill respecting criteria for financial assistance and establishment of clean coal centers of excellence.

Requires that no fund authorized under the Act be available to any person or entity that has been convicted of violating the Buy American Act.

Expresses the sense of Congress to take all actions necessary in the areas of conservation, efficiency, alternative source, technology development, and domestic production to reduce the U.S. dependence on foreign energy sources and to reduce U.S. dependence in Iraqie sources.

Provides for a study examining the feasibility of establishing a renewable fuel standard increasing the market share of renewable fuels by 5% over 15 years (20 minutes)

Bono—Establishes in EPA a renewable energy “partnership” program to promote the use of renewable energy and recognize companies that purchase renewable energy, and educate consumers regarding the environmental benefits of renewable energy. Includes alternative energy and to encompass the concept of energy security in addition to environmental benefits. (10 minutes)

Boehlert/Markey—Provides for a combined corporate average fuel efficiency (CAFE) standard for passenger automobiles and light trucks of 27.5 miles per gallon beginning in 2007, with an inter-

mediate step to 26 miles per gallon in 2005. Provides incentives for alternative fuel vehicles. Directs the Secretary of Transportation to use such authority under federal law as the Secretary may have to ensure the safety of automobiles and light trucks. (40 minutes)

Wilson/Cubin—Establishes a framework for the disposition by the U.S. Government of excess government uranium stockpiles, in a manner that will not disrupt the commercial uranium market nor adversely affect the U.S./Russia High Enriched Uranium Agreement. (10 minutes)

Green (TX)—Lifts the ability of the state of California to utilize the Hinshaw exemption, which prevents the Federal Energy Regulatory Commission (FERC) from ensuring low-cost natural gas transmission inside the state. (20 minutes)

Cox—Grants California a waiver of the 2% oxygen rule only if its gasoline will achieve ‘equivalent or greater emissions reductions’ than is required under federal law. (30 minutes)

Waxman—Directs FERC to impose cost-of-service based rates on electricity generators selling in the Western market for 18 months, until new power supplies come on line. Exempts new power plants from this requirement. (30 minutes)

Jackson-Lee/Wynn/Rush/E.B. Johnson/Towns/Hillard—Earmarks \$5 million annually for bioenergy training and education targeted to minority and socially disadvantaged farmers and ranchers. (10 minutes)

Capito—Ensures that there is no “back-loading” of clean coal project funding to the last year(s) of the 10 year authorization period. (10 minutes)

Jackson-Lee/Lampson—Requires the Secretary to study and evaluate the availability of natural gas and oil deposits located off the coasts of Louisiana and Texas. (10 minutes)

Sununu/Wilson—Provides that the federal share of new Arctic National Wildlife Refuge (ANWR) oil and gas production receipts goes toward two funds—one for renewable energy research and development (“Renewable Energy Technology Investment Fund”) and another for the elimination of the maintenance and improvement backlog on federal funds (“Royalties Conservation Fund”). (20 minutes)

Sununu/Wilson—Implements a 2,000-acre limitation on the total surface area that may be covered by oil and gas production operations in the Arctic National Wildlife Refuge’s Coastal Plain. (20 minutes)

Markey/Johnson (CT)—Maintains existing protection of the Arctic National Wildlife Refuge by striking language in the bill that repeals the prohibition against energy development in ANWR. (40 minutes)

Hayworth—Amends existing law to give the Secretary of the Interior the discretion to purchase energy products and energy by-products of Indian industry in the open market. (10 minutes)

Rogers (MI)/Reynolds—Expresses the Sense of the Congress encouraging the Great Lakes States to continue their prohibitions on Great Lakes off-shore oil and gas drilling. (10 minutes)

Traficant—Authorizes \$10 million for oil shale research. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TAUZIN OF LOUISIANA, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 10, after the table of contents, insert the following and make the necessary conforming changes in the table of contents:

SEC. 2. ENERGY POLICY.

It shall be the sense of the Congress that the United States should take all actions necessary in the areas of conservation, efficiency, alternative source, technology development, and domestic production to reduce the United States dependence on foreign energy sources from 56 percent to 45 percent by January 1, 2012, and to reduce United States dependence on Iraqi energy sources from 700,000 barrels per day to 250,000 barrels per day by January 1, 2012.

Page 36, line 15, insert “or encourage” after “discourage”.

Page 36, lines 16 and 17, strike “; and” and insert “when compared to structures of the same physical description and occupancy in compatible geographic locations;”.

Page 36, lines 18 through 23, strike paragraph (2) and insert the following:

(2) the extent to which education could increase the conservation of low-income households who opt to receive supplemental income instead of Low-Income Home Energy Assistance funds;

(3) the benefit in energy efficiency and energy savings that can be achieved through the annual maintenance of heating and cooling appliances in the homes of those receiving Low-Income Home Energy Assistance funds; and

(4) the loss of energy conservation that results from structural inadequacies in a structure that is unhealthy, not energy efficient, and environmentally unsound and that receives Low-Income Home Energy Assistance funds for weatherization.

Page 81, after line 12, insert the following new section, and make the necessary change to the table of contents:

SEC. 309. STUDY TO DETERMINE FEASIBILITY OF DEVELOPING COMMERCIAL NUCLEAR ENERGY PRODUCTION FACILITIES AT EXISTING DEPARTMENT OF ENERGY SITES.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study to determine the feasibility of developing commercial nuclear energy production facilities at Department of Energy sites in existence on the date of enactment of this Act, including—

(1) options for how and where nuclear power plants can be developed on existing Department of Energy sites;

(2) estimates on cost savings to the Federal Government that may be realized by locating new nuclear power plants on Federal sites;

(3) the feasibility of incorporating new technology into nuclear power plants located on Federal sites;

(4) potential improvements in the licensing and safety oversight procedures of nuclear power plants located on Federal sites;

(5) an assessment of the effects of nuclear waste management policies and projects as a result of locating nuclear power plants located on Federal sites; and

(6) any other factors that the Secretary believes would be relevant in making the determination.

(b) **REPORT.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study under subsection (a).

In section 603 of title V of division A, on page 88, line 11, strike “; and” and insert a semicolon.

Page 88, line 17, strike the period and insert “; and”.

Page 88, after line 17, insert the following new paragraph:

(8) the feasibility of providing incentives to promote cleaner burning fuel.

Page 92, after line 14, insert the following new sections, and make the necessary changes to the table of contents:

SEC. 603. STUDY OF ETHANOL FROM SOLID WASTE LOAN GUARANTEE PROGRAM.

The Secretary of Energy shall conduct a study of the feasibility of providing guarantees for loans by private banking and investment institutions for facilities for the processing and conversion of municipal solid waste and sewage sludge into fuel ethanol and other commercial byproducts, and not later than 90 days after the date of the enactment of this Act shall transmit to the Congress a report on the results of the study.

SEC. 604. STUDY OF RENEWABLE FUEL CONTENT.

(a) **STUDY.**—The Administrator of the Environmental Protection Agency and the Secretary of Energy shall jointly conduct a study of the feasibility of developing a requirement that motor vehicle fuel sold or introduced into commerce in the United States in calendar year 2002 or any calendar year thereafter by a refiner, blender, or importer shall, on a 6-month average basis, be comprised of a quantity of renewable fuel, measured in gasoline-equivalent gallons. As part of this study, the Administrator and Secretary shall evaluate the use of a banking and trading credit system and the feasibility and desirability of requiring an increasing percentage of renewable fuel to be phased in over a 15-year period.

(b) **REPORT TO CONGRESS.**—Not later than 6 months after the date of the enactment of this Act, the Administrator and the Secretary shall transmit to the Congress a report on the results of the study conducted under this section.

Page 93, strike lines 3 through 12 and insert:

SEC. 802. HISTORIC PIPELINES.

Section 7 of the Natural Gas Act (15 U.S.C. 717(f)) is amended by adding at the end the following new subsection:

“(i) Notwithstanding the National Historic Preservation Act, a transportation facility shall not be eligible for inclusion on the National Register of Historic Places unless—

“(1) the Commission has permitted the abandonment of the transportation facility pursuant to subsection (b) of this section, or

“(2) the owner of the facility has given written consent to such eligibility.

Any transportation facility deemed eligible for inclusion on the National Register of Historic Places prior to the date of enactment of this subsection shall no longer be eligible unless the owner of the facility gives written consent to such eligibility.”.

Page 190, line 23, strike “subsection” and insert “section”.

Page 220, lines 1 through 4, amend paragraph (1) to read as follows:

(1) \$19,400,000 for fiscal year 2002, \$14,800,000 for fiscal year 2003, and \$8,900,000 for fiscal year 2004 for completion of construction of Project 98–G–304, Neutrinos at the Main Injector, Fermi National Accelerator Laboratory;

In section 6102(b)(1), strike “42 U.S.C.” and insert “43 U.S.C.”.

Page 437, after line 6, (in section 5006 of Division E after subsection (c)) insert:

(d) FINANCIAL ASSISTANCE.—The Secretary shall provide financial assistance to projects that meet the requirements of subsections (a), (b), and (c) and are likely to—

(1) achieve overall cost reductions in the utilization of coal to generate useful forms of energy;

(2) improve the competitiveness of coal among various forms of energy in order to maintain a diversity of fuel choices in the United States to meet electricity generation requirements; and

(3) demonstrate methods and equipment that are applicable to 25 percent of the electricity generating facilities that use coal as the primary feedstock as of the date of enactment of this Act.

Page 437, line 7, (in section 5006 of Division E) strike “(d)” and insert “(e)”.

Page 437, line 10, (in section 5006 of Division E) strike “(e)” and insert “(f)”.

Page 438, after line 17, (after section 5007 of Division E) insert the following new section and make the necessary change to the table of contents:

SEC. 5008. CLEAN COAL CENTERS OF EXCELLENCE.

As part of the program authorized in section 5003, the Secretary shall award competitive, merit-based grants to universities for the establishment of Centers of Excellence for Energy Systems of the Future. The Secretary shall provide grants to universities that can show the greatest potential for advancing new clean coal technologies.

Page 3, in the table of contents for Division A, redesignate title VII relating to miscellaneous provisions as title VIII.

Page 93, line 13, (at the end of division A) strike “VII” relating to miscellaneous provisions and insert “VIII”.

In Division A and in the table of contents for Division A, renumber sections 601 through 604 as 501 through 504 respectively, renumber sections 701 and 702 as 601 and 602 respectively, renumber sections 801 and 802 as 701 and 702 respectively, and renumber sections 901 through 903 as 801 through 803 respectively.

Page 433, line 13, strike “(c)” and insert “(b)”.

Page 444, after line 22, insert the following new section:

SEC. 6106. EFFICIENT INFRASTRUCTURE DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Energy and the Chairman of the Federal Energy Regulatory Commission shall jointly undertake

a study of the location and extent of anticipated demand growth for natural gas consumption in the Western States, herein defined as the area covered by the Western System Coordinating Council.

(b) CONTENTS.—The study under subsection (a) shall include the following:

(1) A review of natural gas demand forecasts by Western State officials, such as the California Energy Commission and the California Public Utilities Commission, which indicate the forecasted levels of demand for natural gas and the geographic distribution of that forecasted demand.

(2) A review of the locations of proposed new natural gas-fired electric generation facilities currently in the approval process in the Western States, and their forecasted impact on natural gas demand.

(3) A review of the locations of existing interstate natural gas transmission pipelines, and interstate natural gas pipelines currently in the planning stage or approval process, throughout the Western States.

(4) A review of the locations and capacity of intrastate natural gas pipelines in the Western States.

(5) Recommendations for the coordination of the development of the natural gas infrastructure indicated in paragraphs (1) through (4).

(c) REPORT.—The Secretary shall report the findings and recommendations resulting from the study required by this section to the Committee on Energy and Commerce of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate no later than 6 months after the date of the enactment of this Act. The Chairman of the Federal Energy Regulatory Commission shall report on how the Commission will factor these results into its review of applications of interstate pipelines within the Western States to the Committee on Energy and Commerce of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate no later than 6 months after the date of the enactment of this Act.

In section 6223, amend subsection (b) to read as follows:

(b) PREPARATION OF LEASING PLAN OR ANALYSIS.—In preparing a management plan or leasing analysis for oil or natural gas leasing on Federal lands administered by the Bureau of Land Management or the Forest Service, the Secretary concerned shall—

(1) identify and review the restrictions on surface use and operations imposed under the laws (including regulations) of the State in which the lands are located;

(2) consult with the appropriate State agency regarding the reasons for the State restrictions identified under paragraph (1);

(3) identify any differences between the State restrictions identified under paragraph (1) and any restrictions on surface use and operations that would apply under the lease; and

(4) prepare and provide upon request a written explanation of such differences.

At the end of section 6223 add the following:

(e) PRESERVATION OF FEDERAL AUTHORITY.—Nothing in this section or in any identification, review, or explanation prepared under this section shall be construed—

(1) to limit the authority of the Federal Government to impose lease stipulations, restrictions, requirements, or other terms that are different than those that apply under State law; or

(2) to affect the procedures that apply to judicial review of actions taken under this subsection.

In section 6225, in the quoted material—

(1) in paragraph (2)(A), insert “and consultation with the Regional Forester having administrative jurisdiction over the National Forest System Lands concerned” after “under paragraph (1)”; and

(2) add at the end the following:

“(3) The Secretary of Agriculture shall include in the record of decision for a determination under paragraph (2)(A)—

“(A) any written statement regarding the determination that is prepared by a Regional Forester consulted by the Secretary under paragraph (2)(A) regarding the determination; or

“(B) an explanation why such a statement by the Regional Forester is not included.

In section 6303(2), in the quoted material—

(1) in paragraph (2)(A), insert “and consultation with any Regional Forester having administrative jurisdiction over the lands concerned” after “under paragraph (1)”; and

(2) add at the end the following:

“(3) The Secretary of Agriculture shall include in the record of decision for a determination under paragraph (2)(A)—

“(A) any written statement regarding the determination that is prepared by a Regional Forester consulted by the Secretary under paragraph (2)(A) regarding the determination; or

“(B) an explanation why such a statement by the Regional Forester is not included.

In section 6234—

(1) insert “(a) IN GENERAL.—” before the first sentence;

(2) redesignate subsections (c) and (d) as subsections (b) and (c); and

(3) in the quoted material, strike the material preceding subsection (b) and insert the following:

“REIMBURSEMENT FOR COSTS OF CERTAIN ANALYSES,
DOCUMENTATION, AND STUDIES

“SEC. 38. (a) IN GENERAL.—The Secretary of the Interior may, through royalty credits, reimburse a person who is a lessee, operator, operating rights owner, or applicant for an oil or gas lease under this Act for amounts paid by the person for preparation by the Secretary (or a contractor or other person selected by the Secretary) of any project-level analysis, documentation, or related study required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the lease.

In section 6308(a), in the quoted material, strike the material preceding subsection (b) and insert the following:

“REIMBURSEMENT FOR COSTS OF CERTAIN ANALYSES,
DOCUMENTATION, AND STUDIES

“SEC. 38. (a) IN GENERAL.—The Secretary of the Interior may, through royalty credits, reimburse a person who is a lessee, oper-

ator, operating rights owner, or applicant for a lease under this Act for amounts paid by the person for preparation by the Secretary (or a contractor or other person selected by the Secretary) of any project-level analysis, documentation, or related study required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the lease.

Page 510, after line 8, insert the following new division, and make the necessary changes to the table of contents:

DIVISION G

SEC. 7101. BUY AMERICAN.

No funds authorized under this Act shall be available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BONO OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

After section 141, insert the following new section and make the necessary conforming changes in the table of contents:

SEC. 141A. ENERGY SUN RENEWABLE AND ALTERNATIVE ENERGY PROGRAM.

(a) AMENDMENT.—The Energy Policy and Conservation Act (42 U.S.C. 6201 and following) is amended by inserting the following after section 324A:

“SEC. 324B. ENERGY SUN RENEWABLE AND ALTERNATIVE ENERGY PROGRAM.

“(a) PROGRAM.—There is established at the Environmental Protection Agency and the Department of Energy a government-industry partnership program to identify and promote the purchase of renewable and alternative energy products, to recognize companies that purchase renewable and alternative energy products for the environmental and energy security benefits of such purchases, and to educate consumers about the environmental and energy security benefits of renewable and alternative energy. Responsibilities under the program shall be divided between the Environmental Protection Agency and the Department of Energy consistent with the terms of agreements between the two agencies. The Administrator of the Environmental Protection Agency and the Secretary of Energy—

“(1) establish an Energy Sun label for renewable and alternative energy products and technologies that the Administrator or the Secretary (consistent with the terms of agreements between the two agencies regarding responsibility for specific product categories) determine to have substantial environmental and energy security benefits and commercial marketability.

“(2) establish an Energy Sun Company program to recognize private companies that draw a substantial portion of their energy from renewable and alternative sources that provide substantial environmental and energy security benefits, as determined by the Administrator or the Secretary.

“(3) promote Energy Sun compliant products and technologies as the preferred products and technologies in the marketplace for reducing pollution and achieving energy security; and

“(4) work to enhance public awareness and preserve the integrity of the Energy Sun label.

For the purposes of carrying out this section, there is authorized to be appropriated \$10,000,000 for each of fiscal years 2002 through 2006.

“(b) STUDY OF CERTAIN PRODUCTS, TECHNOLOGIES, AND BUILDINGS.—Within 18 months after the enactment of this section, the Administrator and the Secretary, consistent with the terms of agreements between the two agencies, shall conduct a study to determine whether the Energy Sun label should be authorized for products, technologies, and buildings in the following categories:

“(1) Passive solar, solar thermal, concentrating solar energy, solar water heating, and related solar products and building technologies.

“(2) Solar photovoltaics and other solar electric power generation technologies.

“(3) Wind.

“(4) Geothermal.

“(5) Biomass.

“(6) Distributed energy (including, but not limited to, micro-turbines, combined heat and power, fuel cells, and stirling heat engines).

“(7) Green power or other renewables and alternative based electric power products (including green tag credit programs) sold to retail consumers of electricity.

“(8) Homes.

“(9) School buildings.

“(10) Retail buildings.

“(11) Health care facilities.

“(12) Hotels and other commercial lodging facilities.

“(13) Restaurants and other food service facilities.

“(14) Rest area facilities along interstate highways.

“(15) Sports stadia, arenas, and concert facilities.

“(16) Any other product, technology or building category, the accelerated recognition of which the Administrator or the Secretary determines to be necessary or appropriate for the achievement of the purposes of this section.

Nothing in this subsection shall be construed to limit the discretion of the Administrator or the Secretary under subsection (a)(1) to include in the Energy Sun program additional products, technologies, and buildings not listed in this subsection. Participation by private-sector entities in programs or studies authorized by this section shall be (A) voluntary, and (B) by permission of the Administrator or Secretary, on terms and conditions the Administrator or the Secretary (consistent with agreements between the agencies) deems necessary or appropriate to carry out the purposes and requirements of this section.

“(c) DEFINITION.—For the purposes of this section, the term ‘renewable and alternative energy’ shall have the same meaning as the term ‘unconventional and renewable energy resources’ in Sec-

tion 551 of the National Energy Conservation Policy Act (42 U.S.C. 8259)”. ”.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Energy Policy and Conservation Act is amended by inserting after the item relating to section 324A the following new item:

“Sec. 324B. Energy Sun renewable and alternative energy program.”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOEHLERT OF NEW YORK, OR REPRESENTATIVE MARKEY OF MASSACHUSETTS, OR A DESIGNEE, DEBATABLE FOR 40 MINUTES

Page 66, beginning at line 11, strike sections 201, 202, and 203 and insert the following:

SEC. 201. INCREASED AVERAGE FUEL ECONOMY STANDARDS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS.

(a) COMBINED STANDARD.—Section 32902(b) of title 49, United States Code, is amended to read as follows:

“(b) STANDARDS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS.—(1) Except as provided in this section, the average fuel economy standard for the combination of passenger automobiles and light trucks manufactured by a manufacturer—

 “(A) in each of model years 2005 and 2006 shall be 26.0 miles per gallon; and

 “(B) in a model year after model year 2006 shall be 27.5 miles per gallon.

“(2) Except as provided in this section, and notwithstanding paragraph (1), the average fuel economy standard for passenger automobiles manufactured by a manufacturer in model years 2005 and 2006 shall be 27.5 miles per gallon.”.

(b) AMENDING STANDARDS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS.—Section 32902(c) of title 49, United States Code, is amended—

 (1) by amending so much as precedes the second sentence of paragraph (1) to read as follows:

 “(c) AMENDING STANDARD FOR COMBINATION OF PASSENGER AUTOMOBILES AND LIGHT TRUCKS.—The Secretary of Transportation shall prescribe regulations amending any of the standards under subsection (b) of this section for a model year to any higher level that the Secretary decides is the maximum feasible average fuel economy level for that model year.”; and

 (2) by striking paragraph (2).

(c) DEFINITION OF LIGHT TRUCK.—

 (1) IN GENERAL.—Section 32901(a) of title 49, United States Code, is amended by adding at the end the following:

 “(17) ‘light truck’ means a 4-wheeled vehicle that is propelled by fuel, or by alternative fuel, that is manufactured primarily for use on public streets, roads, and highways (except a vehicle operated only on a rail line), and that the Secretary decides by regulation—

 “(A) is rated—

 “(i) at less than 8,500 pounds gross vehicle weight, in the case of an automobile manufactured in model year 2005 or 2006; or

“(ii) at less than 10,000 pounds gross vehicle weight, in the case of an automobile manufactured in a model year after model year 2006;

“(B) is manufactured primarily for transporting not more than 10 individuals; and

“(C) is not a passenger automobile.”.

(2) DEADLINE FOR REGULATIONS.—The Secretary of Transportation—

(A) shall issue proposed regulations implementing the amendment made by this subsection by not later than 6 months after the date of the enactment of this Act; and

(B) shall issue final regulations implementing such amendment by not later than one year after the date of the enactment of this Act.

(c) CONFORMING AMENDMENTS.—

(1) Section 32901(a)(3) of title 49, United States Code, is amended by striking “and rated at—” and inserting “and is a light truck or is rated at—”.

(2) Section 32902(a) of title 49, United States Code, is amended—

(A) by striking “NON-PASSENGER AUTOMOBILES.—” and inserting “STANDARDS FOR CERTAIN AUTOMOBILES.—”; and

(B) by striking “(except passenger automobiles)” and inserting “(except passenger automobiles and light trucks)”.

(3) Section 32908(a)(1) of title 49, United States Code, is amended by striking “8,500” and inserting “10,000”.

(d) APPLICATION.—The amendments made by this section shall apply beginning on January 1, 2005.

(e) APPLICABILITY OF EXISTING STANDARDS.—This section does not affect the application of section 32902 of title 49, United States Code, to passenger automobiles and light trucks manufactured before model year 2005.

SEC. 202. AMENDMENTS TO MANUFACTURING INCENTIVES FOR ALTERNATIVE FUEL AUTOMOBILES.

Section 32905 of title 49, United States Code, is amended—

(1) in subsection (b) by striking “2004” and inserting “2008”;

(2) in subsection (b)(1) by striking “.5 divided” and inserting “the number determined by (A) subtracting from 1.0 the alternative fuel use factor for the model, and (B) dividing the difference calculated under clause (A) by”;

(3) in subsection (b)(2) by striking “.5 divided” and inserting “the number determined by dividing the alternative fuel use factor for the model by”;

(4) in subsection (d) by striking “2004” and inserting “2008”;

(5) in subsection (d)(1) by striking “.5 divided” and inserting “the number determined by (A) subtracting from 1.0 the alternative fuel use factor for the model, and (B) dividing the difference calculated under clause (A) by”;

(6) in subsection (d)(2) by striking “.5 divided” and inserting “the number determined by dividing the alternative fuel use factor for the model by”; and

(7) by adding at the end the following:

“(h) DETERMINATION OF ALTERNATIVE FUEL USE FACTOR.—(1) For purposes of subsections (b) and (d) of this section, the term ‘al-

ternative fuel use factor' means, for a model of automobile, such factor determined by the Administrator under this subsection.

"(2) At the beginning of each year, the Secretary of Energy shall estimate the amount of fuel and the amount of alternative fuel used to operate all models of dual fuel automobiles during the most recent 12-month period.

"(3) The Administrator shall determine, by regulation, the alternative fuel use factor for each model of dual fueled automobile as the fraction that represents, on an energy equivalent basis, the ratio that the amount of alternative fuel determined under paragraph (1) bears to the amount of fuel determined under paragraph (1)."

(c) APPLICATION.—The amendments made by this section shall apply beginning on January 1, 2005.

(d) APPLICABILITY OF EXISTING STANDARDS.—This section does not affect the application of section 32901 of title 49, United States Code, to automobiles manufactured before model year 2005.

SEC. 203. ENSURING SAFETY OF PASSENGER AUTOMOBILES AND LIGHT TRUCKS.

The Secretary of Transportation shall exercise such authority under Federal law as the Secretary may have to ensure that passenger automobiles and light trucks (as those terms are defined in section 32901 of title 49, United States Code, as amended by this Act) are safe.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WILSON OF NEW MEXICO, OR REPRESENTATIVE CUBIN OF WYOMING OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 81, after line 12 (after section 308 of title III of division A) insert the following new section and make the necessary conforming changes in the table of contents:

SEC. 309. PROHIBITION OF COMMERCIAL SALES OF URANIUM BY THE UNITED STATES UNTIL 2009.

Section 3112 of the USEC Privatization Act (42 U.S.C. 2297h–10) is amended by adding at the end the following new subsection:

"(g) PROHIBITION ON SALES.—With the exception of sales pursuant to subsection (b)(2) (42 U.S.C. 2297h–10(b)(2)), notwithstanding any other provision of law, the United States Government shall not sell or transfer any uranium (including natural uranium concentrates, natural uranium hexafluoride, enriched uranium, depleted uranium, or uranium in any other form) through March 23, 2009 (except sales or transfers for use by the Tennessee Valley Authority in relation to the Department of Energy's HEU or Tritium programs, or the Department of Energy research reactor sales program, or any depleted uranium hexafluoride to be transferred to a designated Department of Energy contractor in conjunction with the planned construction of the Depleted Uranium Hexafluoride conversion plants in Portsmouth, Ohio, and Paducah, Kentucky, to any natural uranium transferred to the U.S. Enrichment Corporation from the Department of Energy to replace contaminated uranium received from the Department of Energy when the U.S. Enrichment Corporation was privatized in July, 1998, or for emergency purposes in the event of a disruption in supply to end users

in the United States). The aggregate of sales or transfers of uranium by the United States Government after March 23, 2009, shall not exceed 3,000,000 pounds U_3O_8 per calendar year.”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GREEN OF TEXAS, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

In Division A, title VIII, insert at the end the following new section and make the necessary conforming change in the table of contents:

SEC. 804. REPEAL OF HINSHAW EXEMPTION.

Effective on the date 60 days after the enactment of this Act, for purposes of section 1(c) of the Natural Gas Act (15 U.S.C. 717(c)), the term “State” shall not include the State of California.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COX OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 30 MINUTES

In Division A, at the end of title VI, insert the following new section and make the necessary conforming changes in the table of contents:

SEC. 605. CALIFORNIA REFORMULATED GAS RULES.

Section 211(c)(4)(B) of the Clean Air Act (42 U.S.C. 7545(c)(4)(B)) is amended by adding the following at the end thereof: “Whenever any such State that has received a waiver under section 209(b)(1) has promulgated reformulated gasoline rules for any covered area of such State (as defined in subsection (k)), such rules shall apply in such area in lieu of the requirements of subsection (k) if such State rules will achieve equivalent or greater emission reductions than would result from the application of the requirements of subsection (k) in the case of the aggregate mass of emissions of toxic air pollutants and in the case of the aggregate mass of emissions of ozone-forming compounds.”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WAXMAN OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 30 MINUTES

Page 96, after line 17, insert the following new title and make the necessary conforming changes in the table of contents:

TITLE IX—PRICE GOUGING AND BLACKOUT PREVENTION

SEC. 901. WHOLESALE ELECTRIC ENERGY RATES OF REGULATED ENTITIES IN THE WESTERN ENERGY MARKET.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

(2) COST-OF-SERVICE BASED RATE.—The term “cost-of-service based rate” means a rate, charge, or classification for the sale of electric energy that is equal to—

(A) all the reasonable variable costs for producing the electric energy;

(B) all the reasonable fixed costs for producing the electric energy;

(C) a reasonable risk premium or return on invested capital; and

(D) all other reasonable costs associated with the production, acquisition, conservation, and transmission of electric power.

(3) PUBLIC UTILITY.—The term “public utility” has the meaning given the term in section 201 of the Federal Power Act (16 U.S.C. 824).

(4) WESTERN ENERGY MARKET.—The term “western energy market” means the area within the United States that is covered by the Western Systems Coordinating Council.

(b) IMPOSITION OF WHOLESALE ELECTRIC ENERGY RATES.—Not later than 30 days after the date of enactment of this Act, the Commission shall impose just and reasonable cost-of-service based rates on sales by public utilities of electric energy at wholesale in the western energy market. The Commission shall not impose such rates under authority of this subsection on any facility generating electric energy that did not generate electric energy at any time prior to January 1, 2001.

(c) AUTHORITY OF STATE REGULATORY AUTHORITIES.—This section does not diminish or have any other effect on the authority of a State regulatory authority (as defined in section 3 of the Federal Power Act (16 U.S.C. 796)) to regulate rates and charges for the sale of electric energy to consumers, including the authority to determine the manner in which wholesale rates shall be passed through to consumers (including the setting of tiered pricing, real-time pricing, and baseline rates).

(d) REPEAL.—Effective on the date 18 months after the enactment of this Act, this section is repealed, and any cost-of-service based rate imposed under this section that is then in effect shall no longer be effective.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS, OR REPRESENTATIVE WYNN OF MARYLAND, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 168, line 20, insert “Of the funds authorized under this subsection, at least \$5,000,000 for each fiscal year shall be for training and education targeted to minority and social disadvantaged farmers and ranchers.” after “National Science Foundation.”.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPITO OF WEST VIRGINIA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

On page 190, after line 25, insert:

(c) GASIFICATION.—The Secretary shall fund at least one gasification project with the funds authorized under this section.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON-LEE OF TEXAS, OR REPRESENTATIVE LAMPSON OF TEXAS, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 191, after line 17, insert the following new section, and make the necessary change to the table of contents:

SEC. 2423. NATURAL GAS AND OIL DEPOSITS REPORT.

Two years after the date of the enactment of this Act, and at two-year intervals thereafter, the Secretary of the Interior, in consultation with other appropriate Federal agencies, shall transmit a report to the Congress assessing the contents of natural gas and oil deposits at existing drilling sites off the coast of Louisiana and Texas.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SUNUNU OF NEW HAMPSHIRE, OR REPRESENTATIVE WILSON OF NEW MEXICO, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 500, beginning at line 16, amend section 6512 to read as follows:

SEC. 6512. REVENUE ALLOCATION.

(a) **FEDERAL AND STATE DISTRIBUTION.**—

(1) **IN GENERAL.**—Notwithstanding section 6504 of this Act, the Mineral Leasing Act (30 U.S.C. 181 et. seq.), or any other law, of the amount of adjusted bonus, rental, and royalty revenues from oil and gas leasing and operations authorized under this title—

(A) 50 percent shall be paid to the State of Alaska; and

(B) the balance shall be deposited into the Renewable Energy Technology Investment Fund and the Royalties Conservation Fund as provided in this section.

(2) **ADJUSTMENTS.**—Adjustments to bonus, rental, and royalty amounts from oil and gas leasing and operations authorized under this title shall be made as necessary for overpayments and refunds from lease revenues received in current or subsequent periods before distribution of such revenues pursuant to this section.

(3) **TIMING OF PAYMENTS TO STATE.**—Payments to the State of Alaska under this section shall be made semiannually.

(b) **RENEWABLE ENERGY TECHNOLOGY INVESTMENT FUND.**—

(1) **ESTABLISHMENT AND AVAILABILITY.**—There is hereby established in the Treasury of the United States a separate account which shall be known as the “Renewable Energy Technology Investment Fund”.

(2) **DEPOSITS.**—Fifty percent of adjusted revenues from bonus payments for leases issued under this title shall be deposited into the Renewable Energy Technology Investment Fund.

(3) **USE, GENERALLY.**—Subject to paragraph (4), funds deposited into the Renewable Energy Technology Investment Fund shall be used by the Secretary of Energy to finance research grants, contracts, and cooperative agreements and expenses of direct research by Federal agencies, including the costs of administering and reporting on such a program of research, to improve and demonstrate technology and develop basic science

information for development and use of renewable and alternative fuels including wind energy, solar energy, geothermal energy, and energy from biomass. Such research may include studies on deployment of such technology including research on how to lower the costs of introduction of such technology and of barriers to entry into the market of such technology.

(4) USE FOR ADJUSTMENTS AND REFUNDS.—If for any circumstances, adjustments or refunds of bonus amounts deposited pursuant to this title become warranted, 50 percent of the amount necessary for the sum of such adjustments and refunds may be paid by the Secretary from the Renewable Energy Technology Investment Fund.

(5) CONSULTATION AND COORDINATION.—Any specific use of the Renewable Energy Technology Investment Fund shall be determined only after the Secretary of Energy consults and coordinates with the heads of other appropriate Federal agencies.

(6) REPORTS.—Not later than 1 year after the date of the enactment of this Act and on an annual basis thereafter, the Secretary of Energy shall transmit to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the use of funds under this subsection and the impact of and efforts to integrate such uses with other energy research efforts.

(c) ROYALTIES CONSERVATION FUND.—

(1) ESTABLISHMENT AND AVAILABILITY.—There is hereby established in the Treasury of the United States a separate account which shall be known as the “Royalties Conservation Fund”.

(2) DEPOSITS.—Fifty percent of revenues from rents and royalty payments for leases issued under this title shall be deposited into the Royalties Conservation Fund.

(3) USE, GENERALLY.—Subject to paragraph (4), funds deposited into the Royalties Conservation Fund—

(A) may be used by the Secretary of the Interior and the Secretary of Agriculture to finance grants, contracts, cooperative agreements, and expenses for direct activities of the Department of the Interior and the Forest Service to restore and otherwise conserve lands and habitat and to eliminate maintenance and improvements backlogs on Federal lands, including the costs of administering and reporting on such a program; and

(B) may be used by the Secretary of the Interior to finance grants, contracts, cooperative agreements, and expenses—

- (i) to preserve historic Federal properties;
- (ii) to assist States and Indian Tribes in preserving their historic properties;
- (iii) to foster the development of urban parks; and
- (iv) to conduct research to improve the effectiveness and lower the costs of habitat restoration.

(4) USE FOR ADJUSTMENTS AND REFUNDS.—If for any circumstances, refunds or adjustments of royalty and rental amounts deposited pursuant to this title become warranted, 50 percent of the amount necessary for the sum of such adjust-

ments and refunds may be paid from the Royalties Conservation Fund.

(d) AVAILABILITY.—Moneys covered into the accounts established by this section—

- (1) shall be available for expenditure only to the extent appropriated therefor;
- (2) may be appropriated without fiscal-year limitation; and
- (3) may be obligated or expended only as provided in this section.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SUNUNU OF NEW HAMPSHIRE, OR REPRESENTATIVE WILSON OF NEW MEXICO, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

In section 6507(a), strike “and” after the semicolon at the end of paragraph (1), strike the period at the end of paragraph (2) and insert “; and”, and add at the end the following:

- (3) ensure that the maximum amount of surface acreage covered by production and support facilities, including airstrips and any areas covered by gravel berms or piers for support of pipelines, does not exceed 2,000 acres on the Coastal Plain.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MARKEY OF MASSACHUSETTS, OR REPRESENTATIVE JOHNSON OF CONNECTICUT, OR A DESIGNEE, DEBATABLE FOR 40 MINUTES

In Division F, strike title V (page 477, line 12 through page 501, line 8).

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HAYWORTH OF ARIZONA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 502, after line 13, insert the following:

SEC. 6602. AMENDMENT TO BUY INDIAN ACT.

Section 23 of the Act of June 25, 1910 (25 U.S.C. 47; commonly known as the “Buy Indian Act”) is amended by inserting “energy products, and energy by-products,” after “printing,”.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROGERS OF MICHIGAN, OR REPRESENTATIVE REYNOLDS OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

In Division F, at the end of subtitle C of title II add the following:

SEC. . ENCOURAGEMENT OF STATE AND PROVINCIAL PROHIBITIONS ON OFF-SHORE DRILLING IN THE GREAT LAKES.

(a) FINDINGS.—The Congress finds the following:

- (1) The water resources of the Great Lakes Basin are precious public natural resources, shared and held in trust by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin, and the Canadian Province of Ontario.

(2) The environmental dangers associated with off-shore drilling in the Great Lakes for oil and gas outweigh the potential benefits of such drilling.

(3) In accordance with the Submerged Lands Act (43 U.S.C. 1301 et seq.), each State that borders any of the Great Lakes has authority over the area between that State's coastline and the boundary of Canada or another State.

(4) The States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin each have a statutory prohibition of off-shore drilling in the Great Lakes for oil and gas.

(5) The States of Indiana, Minnesota, and Ohio do not have such a prohibition.

(6) The Canadian Province of Ontario does not have such a prohibition, and drilling for and production of gas occurs in the Canadian portion of Lake Erie.

(b) ENCOURAGEMENT OF STATE AND PROVINCIAL PROHIBITIONS.—
The Congress encourages—

(1) the States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin to continue to prohibit off-shore drilling in the Great Lakes for oil and gas;

(2) the States of Indiana, Minnesota, and Ohio and the Canadian Province of Ontario to enact a prohibition of such drilling; and

(3) the Canadian Province of Ontario to require the cessation of any such drilling and any production resulting from such drilling.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TRAFICANT OF OHIO, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 191, after line 17, insert the following new section, and make the necessary change to the table of contents:

SEC. 2423. OIL SHALE RESEARCH.

There are authorized to be appropriated to the Secretary of Energy for fiscal year 2002 \$10,000,000, to be divided equally between grants for research on Eastern oil shale and grants for research on Western oil shale.